

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

TROY LELAND HANDLEY,

Petitioner,

v.

CIVIL ACTION NO. 3:04-cv-948
(Criminal No. 3:03-cr-83)

UNITED STATES OF AMERICA,

Respondent.

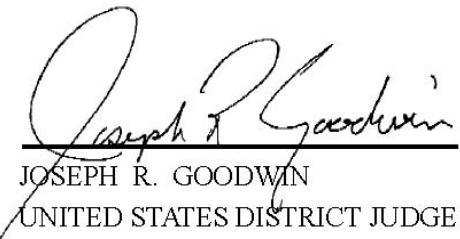
MEMORANDUM OPINION AND ORDER

Pending before the court is the petitioner's motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255 [Docket 24]. This action was referred to the Honorable Maurice G. Taylor Jr., United States Magistrate Judge, for submission to this court of proposed findings of fact and recommendation for disposition pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that the court deny the motion.

Neither party has filed objections to the Magistrate Judge's findings and recommendation. Accordingly, the court accepts and incorporates herein the findings and recommendation of the Magistrate Judge, and **DENIES** the petitioner's § 2255 motion.

The court **DIRECTS** the Clerk to send a copy of this Order to the Magistrate Judge, counsel of record, and any unrepresented party.

ENTER: August 24, 2006


Joseph R. Goodwin
JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE